

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AARON W. RAUSCH,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.


Case No. C04-5688FDB

ORDER DENYING CERTIFICATE  
OF APPEALABILITY

The Court denied Rausch's 2255 Petition in which he argued that because he was placed in solitary confinement at the Federal Detention Center for disciplinary violations before sentence was imposed in the criminal case, he was subjected to double jeopardy. This Court concluded that the Double Jeopardy Clause is not applicable in this situation involving prison disciplinary sanctions.

U these circumstances, a certificate of appealability is denied. SO ORDERED.

DATED this 28<sup>th</sup> day of July 2005.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE